

Translation

PATENT COOPERATION TREATY PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 10316476/PCT	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/EP2004/003610	International filing date (<i>day/month/year</i>) 06.04.2004	Priority date (<i>day/month/year</i>) 09.04.2003
International Patent Classification (IPC) or national classification and IPC 		
Applicant STOCKHAUSEN GMBH		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows:</p> <p style="margin-left: 20px;"><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p style="margin-left: 20px;"><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																								
<p>4. This report contains indications relating to the following items:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15px; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td>Box No. I Basis of the report</td> </tr> <tr> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td>Box No. II Priority</td> </tr> <tr> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td>Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td>Box No. IV Lack of unity of invention</td> </tr> <tr> <td style="width: 15px; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td>Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td>Box No. VI Certain documents cited</td> </tr> <tr> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td>Box No. VII Certain defects in the international application</td> </tr> <tr> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td style="width: 15px; text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Box No. I Basis of the report	<input type="checkbox"/>	<input type="checkbox"/>	Box No. II Priority	<input type="checkbox"/>	<input type="checkbox"/>	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	<input type="checkbox"/>	Box No. IV Lack of unity of invention	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	<input type="checkbox"/>	Box No. VI Certain documents cited	<input type="checkbox"/>	<input type="checkbox"/>	Box No. VII Certain defects in the international application	<input type="checkbox"/>	<input type="checkbox"/>	Box No. VIII Certain observations on the international application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Box No. I Basis of the report																						
<input type="checkbox"/>	<input type="checkbox"/>	Box No. II Priority																						
<input type="checkbox"/>	<input type="checkbox"/>	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability																						
<input type="checkbox"/>	<input type="checkbox"/>	Box No. IV Lack of unity of invention																						
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																						
<input type="checkbox"/>	<input type="checkbox"/>	Box No. VI Certain documents cited																						
<input type="checkbox"/>	<input type="checkbox"/>	Box No. VII Certain defects in the international application																						
<input type="checkbox"/>	<input type="checkbox"/>	Box No. VIII Certain observations on the international application																						

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/003610

Box No. I

Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- international search (Rule 12.3 and 23.1(b))
 - publication of the international application (Rule 12.4)
 - international preliminary examination (Rule 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- the international application as originally filed/furnished
 the description:

pages 1-13 as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

- the claims:

nos. 1-21 as originally filed/furnished

nos.* _____ as amended (together with any statement) under Article 19

nos.* _____ received by this Authority on _____

nos.* _____ received by this Authority on _____

- the drawings:

sheets _____ as originally filed/furnished

sheets* _____ received by this Authority on _____

sheets* _____ received by this Authority on _____

- a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

- the description, pages _____
- the claims, nos. _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
- any table(s) related to sequence listing (*specify*): _____

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages _____
- the claims, nos. _____
- the drawings, sheets/figs _____
- the sequence listing (*specify*): _____
- any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/003610

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
-----------	---	--

1. Statement

Novelty (N)	Claims	1-21	YES
	Claims		NO
Inventive step (IS)	Claims	1-21	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-21	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

1. Prior art

This report refers to the following document (D) cited in the search report; the numbering will be retained throughout the proceedings:;

D1: DE 101 32 513 A (HENKEL KGAA) 14 February
2002 (2002-02-14)

2. Novelty and inventive step

Document D1 discloses water-soluble preparations which contain cellulose ether and can be in the form of a powder, granules or a moulded body (claims 1 and 6) and which contain Na-water glass (paragraphs 52, 54 and 56), as claimed in claims 1 and 3.

The subject matter of the application differs from that of D1 in that in D1 the water glass is not added to the water-soluble polymers in the form of a coating.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/EP2004/003610

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
-----------	---

Such a coating has the effect of improving the dispersing and dissolving behaviour of polymers coated with water glass (see page 3 of the application).

The application thus addresses the problem of improving the dispersing and dissolving properties of water-soluble polymers.

The teaching of D1 does not contain any indication of the claimed solution. A person skilled in the art proceeding from the teaching of D1 could therefore not arrive at the claimed solution without exercising an inventive step.

Independent claims 15, 20 and 21 describe a method for producing the above-mentioned coated polymers and the use thereof.

The subject matter of independent claims 1, 15, 20 and 21 therefore appears to be novel and inventive under the PCT.